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Attorneys for Defendant
Novartis Pharmaceuticals Corporation

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

THE REGENTS OF THE UNIVERSITY OF
MICHIGAN,
and
THE UNIVERSITY OF SOUTH FLORIDA
BOARD OF TRUSTEES,

Plaintiffs,

v.

NOVARTIS PHARMACEUTICALS
CORPORATION

Defendant.

Case No. 4:22-cv-04913-HSG

JURY TRIAL DEMANDED

**JOINT STIPULATION AND [PROPOSED]
ORDER TO EXTEND TIME TO ANSWER
OR OTHERWISE RESPOND TO
COMPLAINT AND TO CONTINUE
INITIAL CASE MANAGEMENT
CONFERENCE**

[Civil L.R. 6-1, 6-2]

Current Hearing Date: December 13, 2022
Hon. Haywood S. Gilliam, Jr.

Pursuant to Civil L.R. 6-1 and 6-2, Plaintiffs The Regents of the University of Michigan and The University of South Florida Board of Trustees (collectively, “Plaintiffs”), and Defendant Novartis Pharmaceuticals Corporation (“Novartis” or “Defendant”), hereby respectfully stipulate as follows:

1. Plaintiffs filed their complaint against Novartis on August 29, 2022. (Dkt. 1.)

2. Based on prior stipulations and a prior order that adopted the most recent stipulation, Novartis’ current deadline to answer or otherwise respond to the complaint is November 10, 2022. (Dkt. 29, 34-35.)

3. Furthermore, the Initial Case Management Conference is currently scheduled for December 13, 2022. (Dkt. 35.)

4. Pursuant to the Court’s Order Setting Initial Case Management Conference and ADR Deadlines and the Court’s Order adopting the parties’ stipulation to extend certain deadlines, the parties are required to meet and confer regarding initial disclosures, early settlement, ADR process selection, and a discovery plan by November 22, 2022. (Dkt. 9, 35.) The parties are also required to file an ADR Certification by December 6, 2022. (Dkt. 9, 35.)

5. Novartis has requested additional time to answer or otherwise respond to the complaint, and Plaintiffs have agreed that the deadline for Novartis to answer or otherwise respond to the complaint shall be extended by 11 days from November 10, 2022, to November 21, 2022.

6. Given this extension, certain deadlines in the Court’s Order Setting Initial Case Management Conference and ADR Deadlines (Dkt. 9) and further Order continuing Initial Case Management Conference (Dkt. 35) are set to occur very shortly after Novartis answers or otherwise responds to the complaint.

7. To allow the parties sufficient time to meet the deadlines set in the Court’s Orders and meet and confer on the positions to be submitted by the parties in the Rule 26(f) Report and Case Management Statement, the parties respectfully request that the Initial Case Management Conference be continued by three weeks, to during the week of January 2, 2023, or to a date and time at the Court’s convenience.

8. There is good cause for the extension to allow the parties to fully consider and assess case management early in the case.

Accordingly, the parties stipulate that the deadline for Novartis to answer or otherwise respond to the complaint shall be extended to November 21, 2022. The parties further respectfully request that the Court continue the Initial Case Management Conference by three weeks, to occur during the week of January 2, 2023, or at the Court's convenience.

Dated: November 2, 2022

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By: /s/ Kelly A. Del Dotto

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**ATTORNEYS FOR PLAINTIFFS THE
REGENTS OF THE UNIVERSITY OF
MICHIGAN AND THE UNIVERSITY OF
SOUTH FLORIDA BOARD OF TRUSTEES**

Dated: November 2, 2022

MAURIEL KAPOUYTIAN WOODS LLP

By: /s/ Marc J. Pernick

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**ATTORNEYS FOR DEFENDANT
NOVARTIS PHARMACEUTICALS
CORPORATION**

ATTESTATION

I, Marc J. Pernick, hereby attest that each of the other Signatories have concurred in the
filing of the document, in compliance with Civil L.R. 5-1(h)(3),

/s/ Marc J. Pernick

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED:

The deadline for Novartis to answer or otherwise respond to the Complaint is extended to November 21, 2022; and

The Telephonic Initial Case Management Conference is continued to 1/10/2023, at 2:00 PM.

Dated: 11/3/2022



Hon. Haywood S. Gilliam, Jr.

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BOARD OF TRUSTEES,

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Defendant.

Case No. 4:22-cv-04913-HSG

**DECLARATION OF MARC J. PERNICK
IN SUPPORT OF JOINT STIPULATION
AND [PROPOSED] ORDER TO EXTEND
TIME TO ANSWER OR OTHERWISE
RESPOND TO COMPLAINT AND TO
CONTINUE INITIAL CASE
MANAGEMENT CONFERENCE**

1 I, Marc J. Pernick, declare as follows:

2 1. I am a partner at Mauriel Kapouytian Woods LLP, counsel for Defendant Novartis
3 Pharmaceuticals Corporation (“Novartis” or “Defendant”) in this action. I am a member of the
4 Bar of the State of California. I submit this Declaration in support of the Joint Stipulation and
5 [Proposed] Order to Extend Time to Answer or Otherwise Respond to Complaint to Continue
6 Initial Case Management Conference. I have personal knowledge of the matters stated in this
7 declaration and would testify truthfully to them if called upon to do so.

8 2. Plaintiffs filed their complaint against Novartis on August 29, 2022. (Dkt. 1.)

9 3. Based on prior stipulations and a prior order that adopted the most recent
10 stipulation, Novartis’ current deadline to answer or otherwise respond to the complaint is
11 November 10, 2022. (Dkt. 29, 34-35.)

12 4. Furthermore, the Initial Case Management Conference is currently scheduled for
13 December 13, 2022. (Dkt. 35.)

14 5. Pursuant to the Court’s Order Setting Initial Case Management Conference and
15 ADR Deadlines and the Court’s Order adopting the parties’ stipulation to extend certain deadlines,
16 the parties are required to meet and confer regarding initial disclosures, early settlement, ADR
17 process selection, and a discovery plan by November 22, 2022. (Dkt. 9, 35.) The parties are also
18 required to file an ADR Certification by December 6, 2022. (Dkt. 9, 35.)

19 6. Novartis has requested additional time to answer or otherwise respond to the
20 complaint, and Plaintiffs have agreed that the deadline for Novartis to answer or otherwise
21 respond to the complaint shall be extended by 11 days from November 10, 2022, to
22 November 21, 2022.

23 7. Given this extension, certain deadlines in the Court’s Order Setting Initial Case
24 Management Conference and ADR Deadlines (Dkt. 9) and further Order continuing Initial Case
25 Management Conference (Dkt. 35) are set to occur very shortly after Novartis answers or
26 otherwise responds to the complaint.

27 8. To allow the parties sufficient time to meet the deadlines set in the Court’s Orders
28 and meet and confer on the positions to be submitted by the parties in the Rule 26(f) Report and

1 Case Management Statement, the parties respectfully request that the Initial Case Management
2 Conference be continued by three weeks, to during the week of January 2, 2023, or at a date and
3 time of the Court's convenience.

4 9. There is good cause for the extension to allow the parties to fully consider and
5 assess case management issues early in the case.

6 I declare under penalty of perjury that the foregoing is true and correct.
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8 Executed this 2nd day of November 2022 at New York, NY.

9 /s/ Marc J. Pernick
10 Marc J. Pernick
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